

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SPEARMAN CORPORATION AND  
SPEARMAN CORPORATION KENT  
DIVISION,

Case No. 2:20-cv-00013 RSM

v.

# THE BOEING COMPANY,

Defendant.

# THE BOEING COMPANY,

## Counterclaim and Third-Party Plaintiff,

V.

SPEARMAN CORPORATION AND  
SPEARMAN CORPORATION KENT  
DIVISION,

## Counterclaim Defendants,

ALEXANDER SPEARMAN, an individual,

### Third-Party Defendant

## **STIPULATED MOTION**

On April 5, 2022, the Court continued trial in this matter to October 2022, and noted the trial length as 14 days. Dkt. No. 187. On July 18, 2022, the Court granted in part and denied in part Boeing’s motion for summary judgment. Dkt. No. 190. The Court continued the trial to

1 March 13, 2023. Dkt. No. 196. Following the Court's order moving the trial date, the Court  
 2 entered a scheduling order. Dkt. No. 197. The ECF entry indicated that the trial length was 5-7  
 3 days, however, the scheduling order indicated that the trial would be 4-5- days.

4       Although the Court's decision on Boeing's motion for summary judgment has removed  
 5 some causes of action and issues from the case, the Parties continue to believe the factual  
 6 complexity of the issues that remain (on Spearman's claim that Boeing breached the implied  
 7 covenant of good faith and fair dealing and Boeing's counterclaims) cannot be presented to the  
 8 trier of fact in 4-5 days. Therefore, the Parties jointly request that the Court enter a revised  
 9 scheduling order allowing 12 days for trial, with each side having an equal amount of the trial  
 10 time. The Parties do not seek a continuance of the trial date. If the Court cannot accommodate the  
 11 proposed trial length with the current trial date, the parties ask for a status conference to discuss  
 12 this issue with the Court.

13       Pursuant to the Court's scheduling order, the Parties' proposed Pretrial Order is to be  
 14 lodged with the Court on March 1, 2023, which is 12 days before the trial. This deadline causes  
 15 the Local Rule 16(h)-(i) deadlines to be close to the trial date. The Parties have conferred about  
 16 these deadlines, and have agreed to move these deadlines to help facilitate preparation for trial.  
 17 The parties respectfully request that the deadlines be modified as follows:

<b>Event</b>	<b>Current Deadline</b>	<b>New Proposed Deadline</b>
Plaintiffs' / counterclaimant's pretrial statement	January 30, 2023	Unchanged January 30, 2023
Initial deposition designations	January 30, 2023	February 2, 2023
Responses to pretrial statements	February 9, 2023	February 13, 2023
Objections to deposition designations; counter-designations	February 9, 2023	February 10, 2023
Objections to counter-designations	None	February 17, 2023
All motions in limine must be filed (noted for third Friday)	February 13, 2023	Unchanged February 13, 2023

1 Deadline for Pretrial 2 Conference (LCR 16(k))	February 17, 2023	Unchanged February 17, 2023
3 Agreed pretrial order due	March 1, 2023	Unchanged March 1, 2023
4 Trial briefs, proposed voir dire, jury instructions, neutral statement of the case, and 5 trial exhibits due	March 8, 2023	Unchanged March 8, 2023

6 DATED this 10<sup>th</sup> day of January, 2023.

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## ORDER

Based on the above Stipulated Motion, the Court does hereby ORDER:

1. The Stipulated Motion is granted;
2. Given the above and the Court's understanding of the remaining factual and issues, trial shall be scheduled for **10 days**, with each side getting equal time, and all dates are reset as reflected in the above Stipulated Motion.

DATED this 11<sup>th</sup> day of January, 2023.



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RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE